

Uniendo a Puerto Rico Fund
Connect USVI Fund
Stage 2 Fixed Support
Application Form

Read the instructions thoroughly before completing this form. Failure to comply may cause your application for Stage 2 support to be disqualified.

1 Date Submitted: 09/03/2020		
Applicant Information		
2 Applicant Legal Classification <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input type="radio"/> Consortium <input type="radio"/> Corporation <input type="radio"/> General Partnership <input type="radio"/> Government Entity <input type="radio"/> Individual <input checked="" type="radio"/> Limited Liability Company </div> <div style="width: 48%;"> <input type="radio"/> Limited Liability Partnership <input type="radio"/> Limited Partnership <input type="radio"/> Trust <input type="radio"/> Unincorporated Association <input type="radio"/> Other: _____ </div> </div>		
3 Entity Name Liberty Communications of Puerto Rico LLC		
4 FCC Registration Number (FRN) 0013778857		
5 Jurisdiction of Formation Puerto Rico		
6 Address Line 1 279 Ponce de Leon Avenue		
7 Address Line 2		
8 City San Juan	9 State PR	10 Zip Code 00918
11 Phone (787) 942-0106 Ext. 5036	12 Email carla.famil@libertypr.com	
Contact Information		
13 Name Carla Framil Ferran		
14 Organization Liberty Communications of Puerto Rico LLC		
15 Address Line 1 279 Ponce de Leon Avenue		
16 Address Line 2		
17 City San Juan	18 State PR	19 Zip Code 00918
20 Phone (787) 942-0106 Ext. 5036	21 Email carla.famil@libertypr.com	
Agreements		
If the applicant has entered into one or more agreements relating to the applicant's application, identify each agreement relating to the participation of the applicant in the competitive proposal process by providing an identifying name for each agreement, the name of each party to the agreement, and the type of agreement. Attach a separate exhibit that briefly describes all disclosed agreements.		
22 Agreements		
<i>Agreement Identifier</i>	<i>Agreement Type</i>	<i>Name of Party</i>
██████████	██████████	██████████
██████████	██████████	██████████
██████████	██████████	██████████
██████████	██████████	██████████

Ownership Information

For each Disclosable Interest Holder, complete and attach a Schedule A. If there are any Disclosable Interest Holders with indirect ownership of the applicant, attach a separate exhibit showing the relationship between those Disclosable Interest Holders and the applicant. If there is insufficient space to provide complete lists of Disclosable Interest Holders and FCC-Regulated Businesses below, provide those lists in attachments to this form. See 47 C.F.R. §§ 1.2112(a), 54.315(a)(1).

23 Disclosable Interest Holders

Name	Type of Entity	FRN	Percent Interest Held

24 FCC-Regulated Businesses (Held by Applicant)

Name	Principal Business	FRN	Percent Interest Held
None	N/A	N/A	N/A

Required Attachments

25 Operational History

To be eligible for participation in Stage 2 Competition, the applicant must have provided voice and/or broadband service in the territory where it is seeking Uniendo a Puerto Rico and/or Connect USVI Stage 2 fixed support since at least the time period required for filing the June 2018 FCC Form 477. In an exhibit to this application, describe the number of years it has been operating and identify the services it has provided.

26 ETC Designation

Is the applicant designated as an eligible telecommunications carrier (ETC)?

- ☒ Yes, the applicant has already been designated as an ETC in the areas where it is seeking Uniendo a Puerto Rico and/or Connect USVI Stage 2 fixed support. The relevant designation order is attached to this application.
- ☐ No, the applicant has not been designated as an ETC in the areas where it is seeking Uniendo a Puerto Rico or Connect USVI Stage 2 fixed support. Please select one of the following regarding the applicant's current status as of the application filing date.
- ☐ The applicant is in the process of applying for ETC designation in the relevant areas, and will submit the designation order and accompanying certification to the Commission upon being designated as an ETC.
 - ☐ The applicant has not yet applied for ETC designation in the relevant areas, but acknowledges that, if selected, it must obtain ETC designation within 60 days after public notice of selection to receive fixed support. Any entity that is awarded support but fails to obtain ETC designation within sixty (60) days shall be considered in default and will not be eligible to receive high-cost funding. See 47 C.F.R. § 54.1505.

Supplement to List of Disclosable Interest Holders in Liberty Communications of Puerto Rico LLC

Name	Type of Entity	FRN	Interest Held
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

See also the accompanying organizational chart.

27 Financial Qualifications and Project Funding Documentation

In an attachment to this application form, describe how the required construction will be funded, including financial projections that demonstrate the applicant's ability to cover the necessary debt service payments over the life of a loan, if any. An applicant may choose to submit unaudited or audited financial statements from the prior fiscal year to support its application.

28 Network Plan, Technology Description and System Design Documentation

- ☒ **Initial Overview.** In an attachment to this application form, provide at a high level how the applicant will meet its Stage 2 public interest obligations for the relevant performance tier and latency combination(s) using Stage 2 support, for example, building a new network, expanding an existing network, or deploying new or existing technology.
- ☒ **Detailed Description.** In an attachment to this form, describe how the technology and system design the applicant intends to use will deliver voice and broadband service, including a network diagram which must be certified by a professional engineer. The professional engineer must certify that the network is capable of delivering, to 100 percent of the locations in each minimum geographic area, voice and broadband service that meets the requisite performance requirements. See 47 C.F.R. § 54.309.
- ☒ **Entities proposing to use wireless technologies** also must provide a description of their spectrum access in the areas for which they seek support and demonstrate that they have the required licenses to use that spectrum, if applicable.

29 Price and Minimum Performance Requirements

The applicant must provide the relevant information in Schedule B to this application form related to the performance levels of its broadband service offerings for each minimum geographic area the applicant proposes to serve. The applicant must also provide in Schedule B the minimum download and upload speed, usage allowance, and latency performance for the service offerings proposed for each minimum geographic area.

30 Disaster Preparation and Response Plan

The applicant is required to submit with its application a Disaster Preparation and Response Plan (DPRP) which will be reviewed for completeness. The DPRP must address in detail and provide a description how an applicant intends to prepare for and will respond to disasters in Puerto Rico and/or the U.S. Virgin Islands according to five criteria: (1) Strengthening Infrastructure; (2) Ensuring Network Diversity; (3) Ensuring Backup Power; (4) Network Monitoring; and (5) Emergency Preparedness.

31 Letter of Credit Commitment Letter

The applicant must submit a letter from a bank acceptable to the Commission, as set forth in section 54.1508, committing to issue an irrevocable stand-by letter of credit, in the required form, to the applicant. The letter must, at a minimum, provide the dollar amount of the letter of credit and the issuing bank's agreement to follow the terms and conditions of the Commission's model letter of credit in Appendix B of the *PR-USVI Stage 2 Order*.

Certifications

By signing below, the authorized officer certifies the following statements:

1. that the applicant is in compliance with all applicable statutory and regulatory requirements for receiving Stage 2 fixed support for the Uniendo a Puerto Rico Fund or the Connect USVI Fund.
2. that the applicant or its parent company, if the applicant is a wholly owned subsidiary, has filed a FCC Form 477 as required during the relevant time period for June 30, 2018; December 31, 2018; June 30, 2019; or December 31, 2019.
3. that the applicant is financially and technically qualified to meet the public interest obligations of Section 54.1507 of Title 47 of the Code of Federal Regulations (47 C.F.R. § 54.1507) for each relevant performance tier and latency combination and in each geographic area for which it seeks support.
4. that the applicant will meet the relevant public interest obligations, including the requirement that it will offer service at rates that are equal to or lower than the Commission's reasonable comparability benchmarks for fixed wireline services offered in urban areas.
5. that the applicant will have available funds for all project costs that exceed the amount of Stage 2 fixed support authorized by the Commission to be received for the first two years of its support term.
6. that high-cost support will not be used for costs that are or will be reimbursed by other sources of support, including federal or local government aid or insurance reimbursements; and that support was not used for other purposes, such as the retirement of company debt unrelated to eligible expenditures.
7. that the applicant provided service in the territory as of June 30, 2018.
8. that the applicant acknowledges that it must be designated as an Eligible Telecommunications Carrier pursuant to section 214(e) of Title 47 of the United States Code (47 U.S.C. § 214(e)) in the area(s) in which it will receive support prior to being authorized to receive such support.
9. that the description of spectrum access in areas for which the applicant will seek support provided in this application in the Stage 2 competitive process is correct and the applicant will retain such access for at least ten (10) years after the date on which it is authorized to receive support.
10. that the applicant is in compliance with prohibited communications rules adopted by the Commission.
11. that the applicant and any party to the application are not subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.
12. that the applicant has sole responsibility for investigating and evaluating all technical, marketplace, and regulatory factors that may have a bearing on the level of Uniendo a Puerto Rico Fund or Connect USVI Fund Stage 2 Fixed high-cost support it submits in its application, and that, if the applicant wins support, it will be able to build and operate facilities in accordance with the Uniendo a Puerto Rico Fund or Connect USVI Fund Stage 2 obligations and the Commission's rules generally.

I, the individual identified as the applicant's certifying representative below, am authorized to make these certifications on behalf of the applicant and declare under penalty of perjury that, based on all the information available to the applicant, all the information provided in or with this application, including the certification statements above, are true and correct.

32 Signature Naji Khoury Rizk

33 Date 09/03/2020

34 Printed Name of Authorized Officer Naji Khoury Rizk

35 Title/Position of Authorized Officer President and Chief Executive Officer

36 Phone (787) 717-1727

Ext.

36 Email naji.khoury@libertypr.com

38 Employer Liberty Communications of Puerto Rico LLC

Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

FCC NOTICE FOR INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

Part 3 of the Commission's Rules authorize the FCC to request the information on this form. The purpose of the information is to determine whether applicants can meet the terms and conditions of Uniendo a Puerto Rico Fund and Connect USVI Fund Stage 2 fixed support. The information will be used by the Universal Service Administrative Company and/or the staff of the Federal Communications Commission, to evaluate this form, to provide information for enforcement and rulemaking proceedings and to maintain a current inventory of applicants. No authorization for support can be granted unless all information requested is provided. Failure to provide all requested information will delay the processing of the application or result in the application being returned without action. Information requested by this form may be made available for public inspection after the Commission staff completes its review. However, consistent with the Commission's limited information procedures in place for the Uniendo a Puerto Rico Fund and the Connect USVI Fund, certain information may be withheld from routine public inspection even after support is authorized. If a request for public inspection under the Commission's rules is made for an applicant's information, the applicant will be notified and then must justify the continued confidential treatment of the information if it objects to the disclosure.

The public reporting for this collection of information is estimated to average 80 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PERM, Paperwork Reduction Act Project (3060-1274), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to pra@fcc.gov. PLEASE DO NOT SEND YOUR RESPONSE TO THIS ADDRESS.

Remember - You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-1274.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, PUBLIC LAW 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3) AND THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.

**COMMONWEALTH OF PUERTO RICO
TELECOMMUNICATIONS REGULATORY BOARD
OF PUERTO RICO**

**LIBERTY CABLEVISION OF
PUERTO RICO, LLC**

Petitioner

CASE NO. JRT-ETC-0021

IN RE: Information required in 47
C.F.R. §54.401(d) and Rule 14.7 (a) of
Regulation 8093

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DECISION AND ORDER

This *Decision and Order* attends to the *Motion in Compliance with Decision and Order from May 24, 2018* (Motion in Compliance), filed by the Petitioner, Liberty Cablevision of Puerto Rico, LLC (Liberty).

Background

On May 24, 2018, the Board issued a *Decision and Order* in the case JRT-2018-SU-0001 preliminarily granting Liberty designation as an Eligible Telecommunications Carrier (ETC) assigning it the number JRT-ETC-0021. However, due to the fact that the description of voice services did not comply with that provided in Section 54.401(d) of Title 47 of the Code of Federal Regulations, 47 C.F.R. §54.501(d), it was ordered to file the information required therein within a term of five days. That same term was granted for it to file the fees corresponding to the *Lifeline* program, pursuant to that provided in Rule 14.7 (a) of the *Provisional Amendments to the Regulation on Universal Service*.

In compliance with that ordered, on June 4, 2018, Liberty filed the Motion in Compliance, by way of which it submits the information required in the Decision and Order from May 24, 2018.

Discussion

Section 54.401(d) of Title 47 of the Code of Federal Regulations provides the following:

(d) *When an eligible telecommunications Carrier is designated by a state commission, the state commission shall file or require the eligible telecommunications carrier to [sic] file information with the Administrator demonstrating that the carrier's Lifeline plan meets the criteria set forth in this subpart and describing the terms and conditions of any voice telephony service plans offered to Lifeline subscribers, including details on the number of minutes provided as part of the plan, additional charges, if any, for toll calls, and rates for each such plan. To the extent the eligible telecommunications carrier offers plans to Lifeline subscribers that are generally available to the public, it may provide summary information regarding such plans, such as link to a public Web site outlining the terms and conditions of such plans. Lifeline assistance shall be made available to qualifying low-income consumers as soon as the Administrator certifies that the carrier's Lifeline plan satisfies the criteria set out in this subpart.*

pep

I, Juan E. Segarra, USCCI #06-067/translator, certify that the foregoing is a true and accurate translation, to the best of my abilities, of the document in Spanish which I have seen.

In its Motion in Compliance, Liberty, in addition to submitting the information required in 47 C.F.R. §54.401(d), certifies that it complies with the minimum levels of service quality established in 47 C.F.R. §54.408.

This Board has reviewed the information submitted by Liberty and determines that it has complied with that ordered on May 24, 2018, wherefore we proceed to grant the final designation as an ETC.

Liberty must comply with the provisions of the *Regulation on Universal Service*, Regulation No. 7795 (Regulation 7795) and the *Provisional Amendments to the Regulation on Universal Service*, Regulation No. 8093 (Regulation 8093), as well as any orders issued by the Board by virtue of said regulations. Moreover, it must request review of its designation as an ETC on **April 1, 2020**, and every two years as of said date, pursuant to rule 9.8 of Regulation 7795.

It is forewarned that failure to comply with the rules and orders of the Board may result in sanctions and penalties, including, without there being understood to be any limitation, the revocation of its designation as an ETC.

ORDER

In accordance with the broad primary jurisdiction over all telecommunications services, over all persons that provide these services within the Commonwealth of Puerto Rico, and over any person with a direct or indirect interest in said services or company, this Board DECIDES and ORDERS:

With regard to the Motion in Compliance with Decision and Order from May 24, 2018, filed by Liberty: ADMITTED. NOTICE IS TAKEN.


Consequently, Liberty's designation as an ETC with number JRT-ETC-0021, remains in place.

It is forewarned that failure to comply with the rules and orders of the Board may result in sanctions and penalties, including, without there being understood to be any limitation, the revocation of its designation as an ETC.

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It is provided that any party adversely affected by this Decision and Order may file a motion for reconsideration in the Office of the Secretary of the Telecommunications Regulatory Board of Puerto Rico ("Board"), within the term of twenty (20) days, counted as of the filing of the notice of this order. The petitioning party must send a copy of such document, by mail, to the parties that have intervened in the proceedings of the case.

The Board must consider said motion for reconsideration within fifteen (15) days of such having been filed. If it flatly rejects it or does not act within fifteen (15) days, the term of thirty (30) days to request judicial review shall begin all over again from the time at which said denial is notified or from the time at which those fifteen (15) days have expired, whichever the case may be. If any determination is made in consideration of such, the term for requesting review shall begin to be counted from the date on which a copy of the notice of the decision or order of the Board definitively ruling on the motion is filed. Such decision or order must be issued and filed within ninety (90) days following the filing of the motion for reconsideration. If the Board accepts the motion for reconsideration but fails to take any action with regard to said motion within ninety (90) days of it having been filed, it shall lose jurisdiction over the matter and the term for requesting judicial review before the Puerto Rico Court of Appeals shall begin to be counted as of the expiration of said ninety (90) day term, unless the agency, due to just cause and within those ninety (90) days, extends the term for deciding by a period that shall not exceed thirty (30) additional days.

 I, Juan E. Segarra, USCCI #06-067/translator, certify that the foregoing is a true and accurate translation, to the best of my abilities, of the document in Spanish which I have seen.

CERTIFIED TRANSLATION

JRT-ETC-0021

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Nevertheless, the Board may accept or make a determination regarding an opportunely filed motion for reconsideration, even after the fifteen (15) days of having been filed, as long as the term for recurring to judicial review has not elapsed and such appeal for review has not been filed. The Board may also reconsider, on its own initiative, the present Decision and Order, as long as the term for recurring to judicial review has not elapsed and such appeal for review has not been filed.

If the party adversely affected by the present final decision and order opts to not request its reconsideration, pursuant to that provided in Section 3.15 of Law 38-2017, known as the Government of Puerto Rico Uniform Administrative Procedure Act, may file a request for review before the competent Puerto Rico Court of Appeals, within a term of thirty (30) days, counted as of the date of the filing of the copy of the notice of the final order or decision of the Board. The party shall notify the filing of the request for review to the Board and all of the parties within the term for requesting said review. The notice may be made by mail. It is provided that if the filing date of the copy of the final order or decision of the Board is different from that of the postmark on said notice, the term of thirty (30) days for requesting judicial review shall be calculated as of the date of the postmark.

LET the present DECISION AND ORDER be NOTIFIED to Liberty Cablevision of Puerto Rico, LLC by way of its legal counsel, Omar E. Martínez Vázquez, Esq., PMB 37 Calle Calaf 400, San Juan, Puerto Rico, 00918.

So agreed by the Board on June [hw:] 22, 2018.

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[signature]

Sandra Torres López
Chairwoman

[signature]

Gloria I. Escudero Morales
Associate Member

[signature]

Hiram Martínez López
Associate Member

[signature]

Gladys A. Maldonado Rodríguez
Associate Member

[signature]

Alexandra Fernández Navarro
Associate Member

CERTIFICATION

I HEREBY CERTIFY that this is an accurate and exact copy of the Decision and Order passed by the Board, on June [hw:] 22, 2018. Furthermore, I CERTIFY that today, June [hw:] 22, 2018, I have sent a copy of the present Decision and Order to the parties indicated in the Provision of Notice and I have proceeded to file such.

AND FOR THE RECORD, I hereby sign this document in San Juan, Puerto Rico, today June [hw:] 22, 2018.

pep

I, Juan E. Segarra, USCCI #06-067/translator, certify that the foregoing is a true and accurate translation, to the best of my abilities, of the document in Spanish which I have seen.

CERTIFIED TRANSLATION

[signature]

MARCUS R. TORRES SKERRETT
Secretary of the Board

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I, Juan E. Segarra, USCCI #06-067/translator, certify that the foregoing is a true and accurate translation, to the best of my abilities, of the document in Spanish which I have seen.

COMMONWEALTH OF PUERTO RICO
COMMONWEALTH OF PUERTO RICO TELECOMMUNICATIONS
REGULATORY BOARD

RE:	CASE NUMBER.: JRT-ETC-0021
LIBERTY COMMUNICATIONS OF PUERTO RICO, LLC	
Petitioner	SUBJECT: BIENNIAL REVIEW OF APPOINTMENT OF ETC

ORDER AND RESOLUTION

With the present *Order and Resolution*, we oversee the document *Presentation of Biennial Review of Appointment of Liberty Communications Puerto Rico, Inc. as an eligible telecommunications company* (Request of Review of designation as ETC), submitted by Liberty Communications of Puerto Rico, LLC (Liberty or Petitioner), before the Secretary of this Commonwealth of Puerto Rico Telecommunications (NET), on July 15, 2020.

Background:

The Petitioner was designed as an eligible telecommunications company (ETC) through the *Order and Resolution of May 24, 2018*, after evaluating its application with case number JRT-2018-SU-0001¹. In conformity with its obligations as ETC, on July 15, 2020 submitted its *Request of Review of Designation as ETC*, in consideration of what is provided in Section 9.8 of the *Regulation on Universal Service*, Regulation Number 7795 (Regulation 7795) with its corresponding appendices. Through the presentation of this petitioner, NET will evaluate in discharging its ministerial duty, if it proceeds to issue its designation as ETC, to offer voice and broadband access, under the Guaranteed Access Federal Program *Lifeline* throughout Puerto Rico (except the municipalities of Culebra and Vieques), to low income customers and being supported by the Federal Universal Service Fund (FSUF) and Puerto Rico Universal Service Fund (FSUPR)²

Argument:

Section 9.8.1 of the 7795 Regulation establishes:

9.8.1. *With the purpose of maintaining its designation, which certifies them to receive the Federal and Puerto Rico Universal Service Fund’s support, the ETCs designated before the validity of this Regulation, and those that will be designated, shall demonstrate they are using the funds for the Universal Service purposes. For that purpose they will demonstrate to this Board, through the required information, that the Universal Service funds compensate the costs to provide, keep and update facilities, minus the telecommunications income received from the companies.*

The appointment review will be done every two (2) years, starting in 2010. The information included in this Section will be submitted to the Board the 1st of April of each year the appointment review process is executed.



¹ On May 12, 2020, Liberty submitted before NET a *Motion Notifying the Change of Name to Liberty Cablevisión of Puerto Rico LLC*, to report the change of name to Liberty Communications of Puerto Rico LLC.
² See Administrative Order of May 1, 2019, under Case Number JRT-ETC-0021

In addition, they shall submit evidence of compliance with additional requirements, provided in 9.3 of this Regulation.

Likewise, Section 9.8.2 of Regulation 7795 provides, that within a term that will not exceed ninety (90) days of ETC finishes submitting the necessary documents, except in special circumstances where NET is requiring a longer period, it will issue the *Administrative Order* to the ETC, extending, modifying or cancelling its appointment. During the review process, the appointment will remain in effect.

Having said this, on March 15, 2020, Honorable Governor of Puerto Rico, Wanda Vazquez Garced, signed the Executive Order Number OE-2020-023, *Executive Order of Governor of Puerto Rico, Honorable Wanda Vázquez Garced, to enable the necessary Government and Private closures to combat the effects of Coronavirus (COVID-19) and to control the risks of spreading it in our island.* (Executive Order). It was aimed to enable the necessary government and private closures to combat the effects of Coronavirus (COVID-19) and to control the risks of spread throughout the island.

In conformity with this Executive Order of March 15, 2020, NET issued *Executive Order* number NET-2020-OA-0001, with the purpose of clarifying the scope of the Executive Order and to issue the jurisdictional and compliance terms that will expire March 15-30 of 2020. Stipulating that, with the purpose of guaranteeing due process of law, to all the parties in pending cases and must file the relevant documents in the procedures before NET, in the prepared terms disposed by the applicable orders, resolutions, regulations, laws; the term to present documents in the procedure by our consideration were extended up to three days after the start of NET's operations.

On March 30, 2020, NET issued Administrative Order Number NET-2020-OA-0002, whereby the term to request review of designation as eligible telecommunication company was extended to all CTE up to thirty (30) days after commencement of NET's operations.

Before the gradual and ordered return of public employees to their workplaces starting June 16, 2020, as ordered by the Governor's Executive Order, OE-2020-044, on June 15, 2020, NET issued an *Executive Order* ordering the CTE companies would have thirty (30) days, starting June 16, 2020, to submit their request of review of designation as eligible telecommunications company.

In the release of liability, NET determines the Petitioner presented in a timely fashion its *Request of Review of Designation as ETC*. After reviewing and evaluating the submitted information it is determined the petitioner did omit to comply with sections 9.2(b) and 9.9 of Regulation 7795, necessary for the designation of ETCs and its corresponding review.

Section 9.2(b) and 9.9

With the purpose of promoting the availability of the *Lifeline* services, Sections 9.2(b) and 9.9 of Regulation 7795, it is required to the ETCs to advertise the Universal Service available services and their charges, no less than every three (3) months in daily newspapers of general circulation and every six (6) months in regional newspapers, through an advertisement submitted for NET's prior approval. For NET, the strict compliance with these sections is critical, given that its purpose is to make the offered programs known to as many citizens as possible.



Liberty should eliminate every reference to the Supplemental Security Income (SSI) program, since it is not applicable to subscribers in Puerto Rico, it should do the same with the additional form and/or on the website. Also, it should verify (see Annex E) that the information contained in its webpage (<https://www.Libertypr.com/lifeline/>) is verifiable, because, when looking something up in the search bar, it shows the “Page not found” message, meaning the search was not successful. Liberty did not include evidence of advertisement of *Lifeline* services in general circulation newspapers nor regional, as required by Sections 9.2 and 9.9 of Regulation 7795. In other words, did not show they fulfill with the advertisement standards required in the cited sections. Therefore, it fails to put NET in the position of evaluating its compliance with such sections.

NET addressed these issues in the *Order and Resolution* of July 7, 2020, under case number JRT-ETC-0021, notified that same day, in which we command Liberty to address their weaknesses in their promotional material, within twenty (20) days. Also, in such order, we took notice of the Petitioner’s fees.

The Petitioner offers its services through its own facilities and informed they received the amount of \$11,091,659.89 in Stage 1 funds, of the Fund *Uniendo a Puerto Rico*, to compensate the network and telecommunication facilities’ repair and restoration costs, after hurricanes Irma and Maria. It emerges from Public Notice DA 18-825 of the Federal Communications Commission (FCC), that, in fact, it is reflected the amount assigned to Liberty. As part of the *Request of Review of designation as ETC*, it was not attached a copy of the statement of expenditure of the funds for such program, to show the use of those funds. Also, Liberty must submit its most recent audited financial statements showing it has the financial ability and other requirements, to carry out its responsibilities as a company designated as ETC.

While reviewing the information and documents attached to the *Request of Review of Designation as ETC*, we have noted that Liberty did not comply with providing NET with all the information, certification and the information required by our Regulation 7795 and Regulation 8093. To be able to complete the review process, it is necessary it complies with providing NET all the required information. Once Liberty completes providing the appropriate documentation. Net will proceed as required by Section 9.8.2³ of Regulation 7795.

In consideration of the above mentioned, NET ORDERS and RESOLVES:

The document titled Presentation of Biennial Review of Appointment of Liberty Communications Puerto Rico, Inc. as an Eligible Telecommunications Company (Request of Review of Designation as ETC), submitted July 15, 2020: We reserve the determination until Liberty complies with what is being requested in this Order and Resolution. During the review period, your designation shall remain in effect.

Liberty shall provide proof of compliance with Sections 9.2 and 9.9 of Regulation 7795, and if it complies with what



³ Once received the information mentioned in this Section, NET will determine if complies with the requirements disposed in this Section 9. Once the information presented is evaluated, this Board will issue the corresponding Administrative Order to the ETCs, issuing, modifying, or canceling their designation. Such Order will be issued within no more than ninety (90) days since the date the ETC completes the presentation of pertinent documents, except for particular circumstances in which NET deems necessary to extend such term. During the review process, the designation will remain in effect.

was required by or Order and Resolution of July 7, 2020. The required information must be submitted to NET within no more than thirty (30) days of notice of this Order and Resolution, under penalty.

Liberty must submit a statement of expenditure of Stage 1 of the Fund Uniendo a Puerto Rico and most recent audited financial statements to NET within no more than thirty (30) days of the notification of this Order and Resolution, under penalty.

It is noted to Liberty that the failure to comply with what was ordered here could lead to the revocation of your designation as ETC, in conformity with what is stated in Rule 13 of the Regulation on Universal Service, Regulation Number 7795.

Stipulating that any part adversely affected by the present Order and Resolution may move a motion for reconsideration to the Secretary of the Secretary of this Commonwealth of Puerto Rico Telecommunications (NET), within twenty (20) days, from the date the notice of this orders if filed. The petitionary shall send a copy of the document, by mail, to the parties which participated in the case procedures.

NET shall consider such motion for reconsideration within fifteen (15) days after submitting it. If it is summarily dismissed or does not act within fifteen (15) days, the term of thirty (30) days to request administrative or judicial review, starting again from the notice of rejection or since the fifteen (15) days expire, as it may apply. If a determination in your consideration is made, the term to request review will start since the date a copy of the resolution notice or NET order resolving the motion definitively is filed. Such order or resolution must be issued and filed within ninety (90) days after presenting the motion of reconsideration. If NET accepted the motion of reconsideration, but did not take any action for such motion within ninety (90) days after being filed, it will lose jurisdiction over it and the term to request administrative and judicial review before the Public Services Regulatory Board or before the Court of Appeals, respectively, will start from the expiration date of such ninety (90) day term, extending such term to resolve for a period that will not exceed thirty (30) additional days.

However, NET could include or take a determination about a motion of reconsideration submitted in a timely fashion, even after the fifteen (15) days of having submitted it, provided the term after bringing administrative or judicial review has not expired and have not submitted such review resource. NET could also consider, by own initiative, the present Order and Resolution, as long as the term to appear on administrative or judicial review and the review resource has not been submitted.

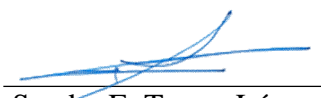
If the party, adversely affected by this final order or resolution, decided not to request its consideration, in accordance with Section 4.2 of the Uniform Administrative Procedure Act of the Government of Puerto Rico (Law 38-2017), could present a request for review before the Public Services Regulatory Board or before the Court of Appeals of Puerto Rico, within thirty (30) days, from the date a copy of the notice of NET's final order or resolution is filed.

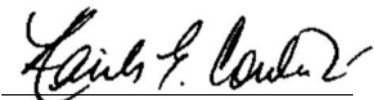


The notifying party will submit a request of review to NET and all the parties, within term to request such review. The notice can be made by mail. Providing that, if the date of filing a copy of the notice of NET’s final order or resolution is different from the date it was placed in the mail, the thirty (30) day term to request administrative or judicial review will be after the date it was placed in the mail.

NOTIFY the present Order and Resolution to the petitioner, via its Legal Representatives, Attorney Carla Framil Ferran, PO Box 192296, San Juan PR 00919-2296 y Lcdo. Omar E. Martínez-Vázquez, Martinez & Martinez, PMB 37 Calle Calaf 400, San Juan, PR 00918.

As agreed by NET August 21, 2020.


Sandra E. Torres López
President



Zaida E. Cordero López
Associate Commissioner

_____(Vacant)_____
Associate Commissioner

CERTIFICATE

I CERTIFY this is a faithful and exact copy of the Administrative Order approved by NET, August 21, 2020. I also CERTIFY I have submitted copy of this Administrative Order to the parties listed in the Notify section and have proceeded to file a copy in the case file.

AND FOR THE RECORD, I sign it in San Juan, Puerto Rico, today August 25, 2020.



MARCUS R. TORRES SKERRETT
Board Secretary





Liberty Communications of Puerto Rico LLC

Network Design Documentation for Uniendo a Puerto Rico Application

September 3, 2020

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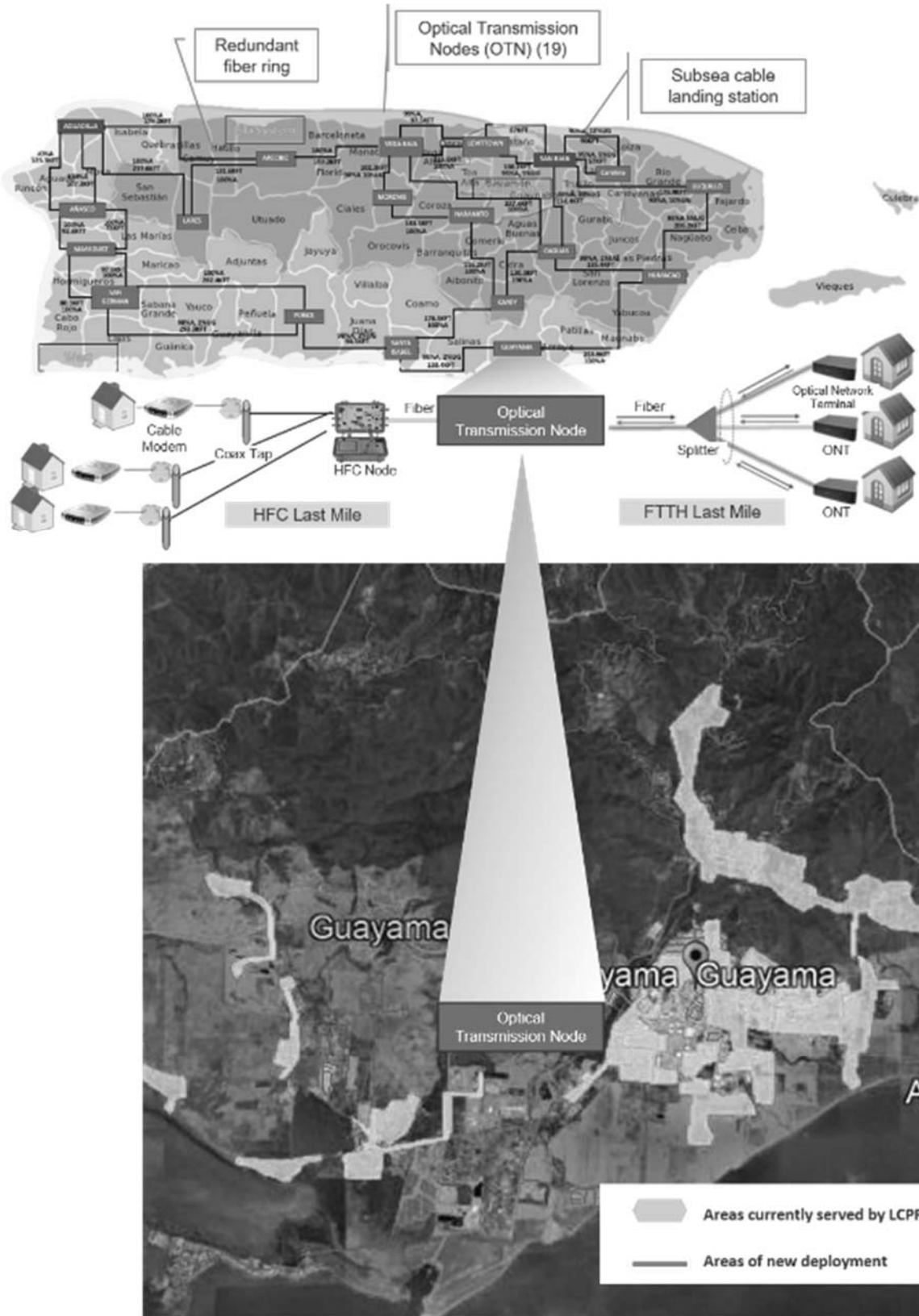
1 Initial Overview

Liberty Communications of Puerto Rico's (LCPR) network design has been carefully crafted to achieve the goal of the Uniendo a Puerto Rico Fund by integrating new and even more advanced technologies into our existing high-speed broadband network in Puerto Rico. LCPR will leverage the Uniendo funding to upgrade and extend our network to additional areas and implement other significant improvements to better serve the residents of Puerto. Our network will be designed to be more resilient and disaster-proof, making efficient and effective use of federal Universal Service funds.

LCPR will leverage most of its existing core network facilities and middle-mile facilities, which extend across Puerto Rico in a redundant fiber ring that already serves customers in 76 of the municipios on the main island. As shown in Figure 1, this fiber ring connects to the greater internet through an undersea cable, which lands at the northeastern coast of the main island and then connects 19 optical transmission [access] nodes (OTN), which in turn serve as aggregators for our last mile distribution using either LCPR's existing hybrid fiber coaxial (HFC) technology or a newly implemented fiber-to-the-home (FTTH) technology. This robust network, currently capable of serving more than a million homes (1,000,000) and currently serving more than three hundred thousand (300,000) subscribers with broadband, fixed voice, and video services, will be extended to remote areas of the island that are not currently served, as well as the adjacent islands of Vieques and Culebra. Along with this extension, LCPR will replace and upgrade existing distribution lines (last mile) with new FTTH plant to many locations, which will improve performance and resiliency to residents in a number of municipios (specified in Table 1).

Specifically, LCPR will meet its Stage 2 obligations through three deployment models, each of which utilizes a different combination of FTTH, HFC, and to a limited extent, fixed wireless access (FWA). These models are further described below in Sections 1.1 through 1.2 for each of the 78 municipios, but at a high level, LCPR has selected one of these three models for each municipio based on the location density of each municipio, the total reserve price, a commercial estimate of the potential of acquiring customers in each municipio, and the extent of LCPR's existing network facilities in that municipio. For example, in the municipio of Bayamón, LCPR will maintain its current HFC plant for 69,000 locations currently served by this plant, but will deploy FTTH technology to the estimated 8,000 locations in Bayamón unserved by LCPR. In this case, LCPR commits to a minimum performance tier of 100mpbs download and 20 Mbps upload for all locations, although those customers served via FTTH may have speeds as high as 1 Gbps download and 500 Mbps upload. In other municipios (such as Ciales or Comerío), LCPR commits to replacing all of its current HFC plant with FTTH plant and deploying FTTH to currently unserved locations. In these municipios, LCPR commits to a minimum performance speed capacity of 1 Gbps download and 500 Mbps upload. The third model includes a combination of FTTH technology in dense areas and FWA in more remote locations in a given municipio. All three models are explained below in sections 1.1 to 1.3, after which LCPR indicates in Table 1 which model LCPR intends to deploy for each of municipio, the number of locations within each municipio utilizing a given last mile technology, its corresponding performance and latency tiers, the percentage of the network that would be newly deployed, and the percentage of underground construction that is being proposed. Figure 1 immediately below provides a high-level overview of LCPR's access network and how that network will integrate with its existing and planned deployments.

Figure 1: High-level view of LCPR access network from fiber ring to last mile deployment



Finally, the requisite professional engineer’s certification of the network diagrams provided herein and the capability of the network to deliver service to 100% of the required number of locations in each relevant municipio, and to provide voice and broadband service that meets the requisite performance requirements of Stage 2 public interest obligations, is attached at the end of this Network Design Documentation.

1.1 Model #1: 100% Fiber to the Home

LCPR proposes a 100% FTTH solution in 36 – or nearly half of – the municipios in Puerto Rico. For these municipios, LCPR would upgrade its current network by extending fiber from the network core all the way to the end user premises for all locations in each municipio. In order to achieve this, LCPR will replace legacy HFC wireline facilities with new fiber plant, which will increase capacity and speeds, become less impacted by power outages, and in some cases, result in more plant being buried underground to eliminate the risk of damage from storm winds. The ultimate choice to use this model was selected based on a combination of the reserve price for each municipio and the cost of new construction, which is driven by location density.

1.2 Model #2: Fiber to the Home and Hybrid Fiber Coaxial

LCPR proposes to serve 39 municipios with a combination of FTTH and HFC plant. This second model consists of LCPR maintaining a percentage of its current HFC plant, which is able to provide very high speeds using our DOCSIS technology (up to 500 Mbps download / 50 Mbps upload), and combining it with new FTTH deployment to unserved locations. A similar combination of technologies is already used today in some municipios, as LCPR serves a significant number corporate or enterprise clients with fiber to the premise (FTTP) in areas where residential customers are served with HFC. The percentage of homes that will be served by HFC and FTTH in each municipio is detailed in Table 1 below. However, the description of last mile architecture in section 2.1.2 below, applies to all deployments in HFC.

1.3 Model #3: Fiber to the Home and Fixed Wireless Access

In three municipios (Adjuntas, Lares and Coamo), LCPR proposes to deploy a combination of FTTH and FWA via Citizens Broadband Radio Service (CBRS) spectrum.¹ The FWA solution proposed will allow LCPR to deliver high speed broadband and voice services that will be capable of delivering speeds of 100 Mbps download and 20 Mbps upload to all customers where it is deployed. This technology will be combined with FTTH by replacing technologies in portions of the municipio where LCPR already serves customers with its existing HFC plant.

Table 1 below indicates for each municipio which of the three models discussed above will be employed, as well as the performance and latency standards that LCPR’s service to that municipio will meet.

¹ LCPR’s application for CBRS spectrum in Puerto Rico in Commission Auction 105 is pending.